



# EMPLOYMENT TRIBUNALS

**Claimant:** Mr J Smith

**Respondent:** (1) Screaming Colour Limited (in administration)  
(2) Secretary of State for Business and Trade

**Heard at:** London South (via video)

**On:** 17 May 2024

**Before:** Employment Judge R Russell

## Representation

Claimant: In person

Respondent: First Respondent did not attend

Second Respondent did not attend (having informed the Tribunal of this in advance)

# JUDGMENT

1. The name of the First Respondent is Screaming Colour Limited.<sup>1</sup>
2. The name of the Second Respondent is Secretary of State for Business and Trade.
3. The complaint under section 189 of the Trade Union and Labour Relations (Consolidation) Act 1992 (the "Act") of a failure by the First Respondent to comply with the requirements of section 188 of the Act is well-founded.
4. The Tribunal makes a protective award in favour of the Claimant, who was dismissed by reason of redundancy, and orders the First Respondent to make a payment equivalent to remuneration for the protected period of 90 days beginning on 23 January 2023.
5. The Employment Protection (Recoupment of Benefits) Regulations 1996 apply (see Annex).

Employment Judge R Russell

Date 17 May 2024

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<sup>1</sup> Company number 02922394  
10.2 Judgment - rule 61  
2018